



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

1445 Ross Avenue, Suite 1200
Dallas, TX 75202-2733

June 10, 2013

Mr. Ryan Benefield, Deputy Director
Arkansas Department of Environmental Quality
5301 Northshore Drive
North Little Rock, AR 72118-5317

Dear Mr. Benefield,

The United States Environmental Protection Agency (EPA) is considering proposing the MacMillan Ring Free Oil site in Norphlet Arkansas on the Superfund National Priorities List (NPL), pursuant to its authority under Section 105 of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), as amended, 42 U.S.C. Section 9605. The NPL contains a list of priority sites with releases of hazardous substances, pollutants or contaminants that require evaluation for possible remediation. It is EPA's policy to determine the state's position on sites that EPA is considering placing on the NPL. With this letter, EPA is seeking the concurrence of the State of Arkansas on adding the MacMillan Ring Free site to the NPL.

MacMillan Ring Free Oil is an abandoned industrial property located in Norphlet, Union County, Arkansas. The facility is bordered by a residential subdivision and the Norphlet Public School on the west, Hayes Creek on the north and east, and Massey Creek and bottomlands associated with the creek to the southwest. MacMillan Ring-Free Oil Refinery closed in 1987. The facility was inactive from 1987 until 1989, when the property was sold to Nor-Ark Industrial Corp (Nor-Ark) who used the on-site storage tanks for asphalt products until March of 1991, when the company filed for bankruptcy. The facility was refurbished by Norphlet Chemical as a chemical manufacturing plant in early 2006 to produce tetrafluoroethane (Freon 134A) refrigerant used in automobiles. The plant never operated as intended and failed to produce the product. In 2007 the facility was abandoned and has remained vacant. The site area is approximately 100 acres.

EPA removal actions occurred at both the McMillan Ring Free Oil Refinery and Norphlet Chemical. Total EPA removal costs to date are in excess of 8 million dollars. Following the removal action at Norphlet, the Site was placed on the State Priority List under the Arkansas Pollution Control and Ecology Commission's Regulation No. 30. The Site was listed due to the potential for soil, surface water, and/or ground water contamination on- and off-site and the need to remediate the Site to protective levels. The ADEQ conducted a Comprehensive Site Assessment which developed remedial alternatives ranging from 4 to 15 million dollars. Due to the large cost of the projected action, in November 2011 ADEQ referred the site to EPA for NPL consideration. Sampling results by EPA in 2012 indicate contamination of the surface and

subsurface soil, ground water, and surface water/sediment. Contaminants of concern included polycyclic aromatic hydrocarbons (PAHs), TPH, and metals.

EPA is committed to working cooperatively with the state and local community throughout the listing and subsequent Superfund cleanup process, and to ensuring that EPA's actions are conducted in an open and transparent manner. For a fund-financed remedial action prior to initiation of the remedial action, EPA and the state will collaborate in the development of a superfund state contract to provide the state assurances required by CERCLA, including, for example, the state's statutory cost share for the remedial action and assumption of operation and maintenance responsibilities. For federal facilities placed on the NPL, the process is slightly different. Where appropriate, a state may enter into a three-party enforceable agreement with the responsible federal entity and EPA to establish respective roles and responsibilities.

EPA is requesting a written response to this letter from your Governor's office or from the State Environmental Agency by August 1, 2013. EPA has set this date to allow adequate time to meet the proposed rule schedule. The response letter should indicate whether the state supports placement of the site on the NPL. If the state does not support listing, the state should describe the alternative approach to placement on the NPL that will ensure the identified priority site and associated release(s) will be addressed. EPA will be sharing information with the community regarding the state's position, including posting the information on the internet. EPA will also invite the Arkansas Department of Environmental Quality to participate in any community meetings during the listing process.

We will continue to work closely with and seek input from the state as the listing process proceeds. We appreciate your consideration of this matter. If additional information is needed or you would like to meet to discuss this matter further, please contact me at (214) 665-6701, or have your staff, call Brenda Nixon Cook, Region 6 NPL Coordinator, at (214) 665-7436.

Sincerely,

Carl Edlund
Director
Superfund Division

CC: Ms. Teresa Marks, ADEQ
Ms. Tammie Hynum, ADEQ
Ms. Terry Jeng, EPA-OSRTI